

## **§ 946.7**

constructive notice prior to the date the property became abandoned that he or she was entitled to file a claim pursuant to § 946.2 or § 946.4. Publication of notice pursuant to § 946.4 provides constructive notice unless a claimant can demonstrate circumstances which reasonably precluded his access to the published notice.

[53 FR 6986, Mar. 4, 1988, as amended at 63 FR 8126, Feb. 18, 1998]

### **§ 946.7 Submission of claims.**

Claims submitted pursuant to this part must be submitted on Postal Service Form 1503 which may be obtained from the Inspector in Charge who has custody of the property.

### **§ 946.8 Determination of claims.**

Upon receipt of a claim under this part, the Postal Inspection Service must conduct an investigation to determine the merits of the claim. The results of the investigation must be submitted to the Chief Postal Inspector or delegate who must approve or deny the claim by written decision, a copy of which must be forwarded to the claimant by certified mail. If the claim is approved, the procedures to be followed by the claimant to obtain return of the property, or its determined value, must be stated. If the claim is denied, the decision must state the reasons therefor.

### **§ 946.9 Reconsideration of claims.**

A written request for reconsideration of denied claims may be submitted within 10 days of the postmarked date of the mailing denying the claim. Such requests must be addressed to the Chief Postal Inspector or delegate and must be based on evidence recently developed or not previously presented.

### **§ 946.10 Record retention.**

Records regarding property subject to this part will be retained for a period of 3 years following return of the property to its owner or a determination that the property is abandoned.

### **§ 946.11 Disposition of property declared abandoned.**

Property declared abandoned, including cash, and proceeds from the sale of property subject to this part may be

## **39 CFR Ch. I (7–1–14 Edition)**

shared by the Postal Inspection Service with federal, state, or local law enforcement agencies. Unless the Chief Postal Inspector determines that cash or the proceeds of the sale of the abandoned property are to be shared with other law enforcement agencies, such cash or proceeds shall be deposited in the Postal Service Fund established by 39 U.S.C. 2003. The authority to make this determination may be delegated by the Chief Postal Inspector.

[59 FR 29372, June 7, 1994]

## **Rules of Procedure Before the Judicial Officer**

### **PART 951—PROCEDURE GOV- ERNING THE ELIGIBILITY OF PER- SONS TO PRACTICE BEFORE THE POSTAL SERVICE**

#### **Sec.**

951.1 Authority for rules.

951.2 Eligibility to practice.

951.3 Persons ineligible for admission to practice.

951.4 Authorization of appearance may be required.

951.5 Complaint of misconduct.

951.6 Censure, suspension or disbarment; grounds.

951.7 Notice of disbarment; exclusion from practice.

951.8 Ex parte communications.

AUTHORITY: 39 U.S.C. 204, 401.

SOURCE: 36 FR 11562, June 16, 1971, unless otherwise noted.

#### **§ 951.1 Authority for rules.**

The Judicial Officer promulgates these rules pursuant to authority delegated by the Postmaster General.

#### **§ 951.2 Eligibility to practice.**

(a) Any individual who is a party to any proceeding before the Judicial Officer, the Board of Contract Appeals or an Administrative Law Judge may appear for himself or by an attorney at law.

(b) The head of any department of the Postal Service may establish such special rules and regulations pertaining to eligibility to practice before such department as he may deem to be necessary or desirable.

(c) Generally, except as provided in § 951.3, any attorney at law who is a